

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 14, 2004. Claims 32, 33, 35, 95, 96, and 98 to 117 are in the application, of which Claims 32, 35, 96, 103 and 110 to 114 are independent. Reconsideration and further examination are respectfully requested.

Claims 32, 33, 35, 95, 103 and 110 to 113 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,461,222 (Haneda). Claims 96 to 102 and 104 to 109 were rejected under 35 U.S.C. § 103(a) over Haneda in view of U.S. Patent No. 5,530,232 (Taylor). Claim 97 has been cancelled without prejudice or disclaimer of subject matter, and without conceding the correctness of the rejection. Reconsideration and withdrawal of the remaining rejections are respectfully requested.

Independent Claims 32, 35, 95, 103 and 110-113

Independent Claim 32 concerns a system for multiple purpose smart cards. The system includes a card reader into which a smart card is insertable and a smart card which is adapted for both non-computer based and computer-based information transfer. The card reader has a pressure sensitive membrane through which at least textual information on a surface of an inserted smart card is visible. The textual information facilitates non-computer based information transfer to achieve a first pre-defined purpose. The smart card comprises the textual information, an electronic memory, and data stored in the electronic memory enabling other information supplemental to the textual information

to be presented, dependent upon pressure directed to the inserted smart card and exerted on the pressure sensitive membrane of the card reader.

The system further comprises presentation means communicating with the card reader for presenting the other information, and a keypad overlay positionable above the membrane of the card reader. When the overlay is so positioned, it activates an alternate set of computer interpretable functions corresponding to a layout of selectable indicia or icons presented on the overlay. The operation of the selectable indicia presented on the overlay is dependent upon pressure which is exerted on a selected indicium of the overlay being transferred to the pressure sensitive membrane. The additional information facilitates computer-based information transfer to achieve a second purpose. The first pre-defined purpose is facilitated based upon the textual information without reference to the additional information.

One representative embodiment of the multiple purpose smart card discussed above is shown in Figure 7 of the subject application. This representative embodiment describes a smart card that mimics an ordinary business card having textual information. In this way, the multiple purpose smart card of the present invention facilitates non-computer based information transfer to achieve a first pre-defined purpose without reference to the additional information, which facilitates computer-based information transfer (such as the video message mentioned at page 20, lines 9 to 16) to achieve a second purpose. As such, the multiple-purpose smart card of the present invention may be used for information transfer without the use of a card reader.

Independent Claims 35, 95, 103 and 110 to 113 correspond generally to the system of independent Claim 32. More specifically, each of Claims 35, 95, 103 and 110 to 113 recite (1) a smart card having textual information on a surface, wherein the textual information facilitates non-computer based information transfer to achieve a first pre-defined purpose, (2) additional information supplemental to the textual information, and (3) a first pre-defined purpose facilitated based upon the textual information without reference to additional information. In addition, each of these claims recites the feature that the operation of the selectable indicia is dependent upon pressure which is exerted on a selected indicium being transferred to the pressure sensitive membrane.

The applied art is not seen to disclose or suggest the features of independent Claims 32, 35, 95, 103 and 110 to 113, and in particular is not seen to disclose or suggest at least the features of (1) a smart card having textual information on a surface, wherein the textual information facilitates non-computer based information transfer to achieve a first pre-defined purpose, (2) additional information supplemental to the textual information, (3) a first pre-defined purpose facilitated based upon the textual information with reference to additional information, and (4) the operation of the selectable indicia is dependent upon pressure which is exerted on a selected indicium being transferred to the pressure sensitive membrane.

Haneda relates to a memory card on which a key symbol is printed. The memory card comprises a first memory for storing an image pattern corresponding to the key symbol and output for selectively outputting the image pattern from the first memory in accordance with an input system of a memory card terminal in which the memory card is

set (see Abstract). Haneda teaches that its memory card can be applied to various kinds of information terminals (column 2, lines 3-5). However Haneda is not seen to disclose that the memory card has any other purpose other than to be “applied to various kinds of information terminals. The Office Action contends that Haneda’s key matrix corresponds to the present invention’s textual information. However, Haneda is seen to teach that the key matrix has key symbols which are used for selecting an application program, and that the key symbols respectively correspond to an application program. Thus, Haneda is not seen to teach textual information on a surface that facilitates non-computer based information transfer to achieve a first pre-defined purpose. Haneda’s key symbols are seen to facilitate computer-based information transfer.

In addition, Haneda is not seen to teach that the operation of the selectable indicia is dependent upon pressure which is exerted on a selected indicium being transferred to the pressure sensitive membrane. Rather, Haneda is seen to teach the use of a key board 5 on cover 17, rather than the use of a pressure sensitive membrane.

The remaining art applied against the claims, namely Taylor, is not seen to supply what is missing from Haneda. Accordingly, based on the foregoing amendments and remarks, independent Claim 32, 35, 95, 103 and 110 to 113 are believed to be allowable.

Independent Claim 96

According to independent Claim 96, the present invention provides a smart card for booking a desired one of plural selectable places at a venue. The smart card is

constructed for insertion into a card reader which includes a pressure sensitive membrane through which an exposed top surface of an inserted smart card is visible. The smart card comprises at least one indicium on the exposed top surface of the smart card, the indicium having a plurality of portions having spatial correspondence to the selectable places at the venue. The smart card also comprises an electronic memory which stores data enabling the desired place to be booked dependent upon pressure being exerted on the pressure sensitive membrane at a position over a corresponding portion of the indicium of the inserted smart card having spatial correspondence with the desired place, to thereby select the corresponding portion of the indicium on the inserted smart card. The data includes a link to displayable information regarding a plan of a physical layout of the venue, the displayable information being supplemental to the information provided by the indicium.

The applied art is not seen to disclose or suggest the features of independent Claim 96, and in particular is not seen to disclose or suggest at least the features of (1) indicium having a plurality of portions having spatial correspondence to selectable places at a venue, (2) data enabling the desired place to be booked dependent upon pressure being exerted on the pressure sensitive membrane at a position over a corresponding portion of the indicium, and (3) displayable information regarding a plan of a physical layout of the venue, the displayable information being supplemental to the information provided by the indicium.

As discussed above, Haneda is not seen to teach the use of a pressure sensitive membrane, and as such, is not seen to teach the use of data enabling the desired place to be booked dependent upon pressure being exerted on the pressure sensitive

membrane at a position over a corresponding portion of the indicium. In addition, the Office Action concedes that Haneda fails to specifically teach a smart card used for booking a place at a venue and accessing venue and business information. Haneda is also not seen to teach indicium having a plurality of portions having spatial correspondence to selectable places at a venue, and displayable information regarding a plan of a physical layout of the venue, the displayable information being supplemental to the information provided by the indicium.

Taylor relates to a multi-application data card. The Office Action contends that Taylor teaches the use of the data card can be used for a number of applications, including American Express, Visa, Master Charge, Discovery, oil companies, hotels, and airlines. The Office Action further contends that it would have been obvious to employ Taylor's data card system in a venue selection system because the smart card system is able to provide the user with a comprehensive amount of information. Applicants respectfully disagree. Taylor is not seen to teach indicium having a plurality of portions having spatial correspondence to selectable places at a venue, nor is Taylor seen to teach the use of displayable information regarding a plan of a physical layout of the venue, the displayable information being supplemental to the information provided by the indicium.

Accordingly, based on the foregoing, independent Claim 96 is believed to be allowable.

Independent Claim 114

Claim 114 to 117 have been newly added. Independent Claim 114 recites a smart card reader for a smart card having indicia on a surface thereof. The reader comprises a slot into which the smart card is inserted, a transparent panel through which the indicia of the inserted smart card are visible, a detector which detects a point where the transparent panel is pressed, and a keypad, having a plurality of textual information thereon, which is positionable above the transparent panel. The reader further comprises a processor which outputs keypad information relevant to a textual information on the keypad corresponding to the point detected by the detector when the keypad is positioned above the transparent panel, and indicia information relevant to the indicia on the surface corresponding to the point detected by the detector when the keypad is not positioned above the transparent panel.

Consideration and examination of the newly added claims is respectively requested.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied reference for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", written over a horizontal line.

Michael K. O'Neill
Attorney for Applicants
Registration No. 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 88495v1